

BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

| | | |
|------------------------|---|-----------------------------|
| In the matter of: |) | |
| |) | |
| REQUEST FOR REVOCATION |) | Docket No. FMCSA 2004-17194 |
| OF AUTHORITY GRANTED |) | |

**COMMENTS ON BEHALF OF THE
NATIONAL ASSOCIATION OF SMALL TRUCKING COMPANIES**

The National Association of Small Trucking Companies (“NASTC”) is pleased to submit these comments in response to the Notice of Proposed Rulemaking (“NPRM”) published by the Federal Motor Carrier Safety Administration on March 29, 2004. NASTC is a national association representing over 1,500 small businessmen engaged in the motor carrier industry. It regularly makes comments and participates in agency actions affecting small businessmen.

BASIS OF COMMENT

The FMCSA has asked for comments concerning retention of the simple request for revocation of authority granted form currently in use as part of the required OMB certification. The current revocation form is a simple and straightforward mechanism by which a carrier which intends to cease operation may notify the Agency and hence the public at large. Retention of this form is in the public interest and is consistent with administrative efficiency. The FMCSA is required to keep data concerning current insurance (both BI & PD and cargo), an agent for service of process concerning every active for hire motor carrier and freight forwarder and keep evidence of agents and surety bonds for property brokers. The form at issue allows regulated entities to simply notify the Agency that they intend to terminate business and to do so with Agency acknowledgment and finality.

In the absence of such form, the FMCSA would be left with the inevitable and more costly process of trying to determine independently whether an entity had ceased operations or

was merely out of compliance. The existing revocation process also allows the shipping and traveling public to know with finality when an entity has ceased operation. The Safestat system and the Federal Registry for licensed carriers and brokers is an important protection for the industry as well as the shipping and traveling public. The form in question, which has been utilized for years is a simple and effective mechanism for accurately maintaining and correcting the Federal database and policing the activity of carriers.

If the Agency, as part of the OMB review, were to consider the abolition of the current form, it would be required to consider the alternative, i.e., the placing of a far greater administrative burden on limited Agency resources to verify by independent means whether carriers who are out of compliance with insurance and Agent requirements are continuing to operate or have voluntarily ceased their operations.

Respectfully submitted,

***NATIONAL ASSOCIATION OF
SMALL TRUCKING COMPANIES***

By Counsel:

/s/ Henry E. Seaton, Esq.

Seaton & Husk, L.P.

2240 Gallows Road

Vienna, VA 22182

Tel: 703-573-0700